

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27705 of 2025

Arising Out of PS. Case No.-207 Year-2020 Thana- RANIGANJ District- Araria

Arvind Yadav S/O Late Umesh Yadav Resident of village- Bairakh, Ramghat,
Police Station- Raniganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Amit Kumar Mishra, Advocate
For the State : Ms. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 302, 201, 120B, 379 and 34
of the Indian Penal Code.

3. As per prosecution story, brother of informant was
called by co-accused Gurudeo Yadav for mortgaging his maize
crops and thereafter, he did not return. Subsequently, the dead
body of informant's brother was found lying in the maize field
of one Chunni Lal Sah and in course of investigation, towel of
co-accused Gurudeo Yadav was found near the dead body.
Informant alleges that all the F.I.R. named accused persons,
including this petitioner, killed his brother.

4. It is submitted by learned counsel for the petitioner



that petitioner is quite innocent and has committed no offence. Admittedly, there is no eye-witness of the alleged occurrence and the dead body was found in the maize field of one Chunni Lal Sah. From bare perusal of the F.I.R. it is apparent that there is no specific allegation of overt act against this petitioner. It is further submitted that as per F.I.R., towel of co-accused Gurudeo Yadav was found near the dead body of the deceased, who has already been granted bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 22.03.2022 passed in Cr. Misc. No. 44462 of 2021. It is further submitted that petitioner has falsely been implicated in this case merely because he happens to be brother-in-law of co-accused Gurudeo Yadav. Similarly situated co-accused person, namely Santosh Yadav, has already been granted bail by this Hon'ble Court vide order dated 15.03.2021 passed in Cr. Misc. No. 3007 of 2021. Charge-sheet has already been submitted and petitioner is in custody since 21.12.2024. Petitioner has got no criminal antecedents as stated in Paragraph No. 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the facts and circumstances of the case, the fact that save and except suspicion there is no material against this petitioner, claim based on parity, clean antecedents



of the petitioner and period of custody, the prayer for grant bail of to the petitioner is allowed.

7. Accordingly, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned D.A.S.J.IV, Araria in connection with Raniganj P.S. Case No. 207 of 2020, subject to the following conditions:-

- (i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the learned trial Court.
- (ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail bond of the petitioner.

(Prabhat Kumar Singh, J)

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